

State of Minnesota  
**Campaign Finance and Public Disclosure Board**  
190 Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603

THE FOLLOWING PUBLICATION DOES NOT IDENTIFY  
THE REQUESTER OF THE ADVISORY OPINION, WHICH IS NON PUBLIC DATA  
under Minn. Stat. § 10A.02, subd. 12(b)

**RE: Use of Campaign Funds for Travel Expenses Related to a Legislative Special Session**

**ADVISORY OPINION # 329**

**SUMMARY**

Under certain circumstances funds from a principal campaign committee may be used to pay for travel expenses incurred by a candidate in order to participate in work group and conference committee meetings related to a special session of the legislature

**FACTS**

You ask the Campaign Finance and Public Disclosure Board (Board) for an advisory opinion concerning issues related to the following facts:

1. You are a state legislator with a principal campaign committee registered with the Board.
2. You are a member of a work group/conference committee that met before and during the 2001 special legislative session. Your attendance at work group/conference committee meetings is required in order to fulfill your duties as a member of the legislature.
3. When not serving in the legislature you work at an establishment that is not within the boundary of your legislative district. The legislature will reimburse you only for the cost of travel from your legislative district to St. Paul. The legislature will not reimburse you for the cost of travel between your legislative district and the location of your employment.
4. You ask if you may pay for the travel expenses between your place of employment and your legislative district with funds from your principal campaign committee.

## ISSUE ONE

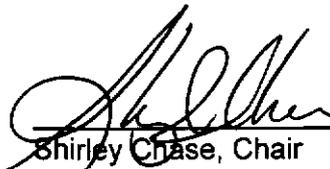
May the described travel expenses be paid for with funds from the principal campaign committee of the elected official?

### OPINION

Yes, the cost of travel for a legislator in order to carry out official duties such as those described in the facts of this opinion is a cost of serving in office. Minn. Stat. 10A.01, subd. 26, (9), provides that "payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;" is a noncampaign disbursement. Noncampaign disbursements may be paid with funds from a candidate's principal campaign committee.

The costs you describe are directly related to your service as an elected official. You would not incur these costs if you were not a member of the legislature; therefore the cost of travel is not for personal use. The timing of a legislative special session is by its nature unpredictable, it would not be reasonable in this set of circumstances to expect a legislator to schedule work commitments in anticipation of a special session, and in some way circumvent the conflict between serving in the legislature and your personal career. The Board views these travel expenses as an unavoidable and necessary cost of your serving in office. The principal campaign committee should report the travel costs to the Board as noncampaign disbursements.

Issued: 7-27-01

  
Shirley Chase, Chair  
Campaign Finance and Public Disclosure Board

## CITED STATUTES

### MINNESOTA STATUTES 10A.01 DEFINITIONS.

**Subd. 26. Noncampaign disbursement.** "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a principal campaign committee for any of the following purposes:

- (1) payment for accounting and legal services;
- (2) return of a contribution to the source;
- (3) repayment of a loan made to the principal campaign committee by that committee;
- (4) return of a public subsidy;
- (5) payment for food, beverages, entertainment, and facility rental for a fundraising event;
- (6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held, and half the cost of services for a constituent by a member of the legislature or a constitutional officer in the executive branch performed from adjournment sine die to 60 days after adjournment sine die;
- (7) payment for food and beverages provided to campaign volunteers while they are engaged in campaign activities;
- (8) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;
- (9) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;
- (10) costs of child care for the candidate's children when campaigning;
- (11) fees paid to attend a campaign school;
- (12) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;
- (13) interest on loans paid by a principal campaign committee on outstanding loans;
- (14) filing fees;
- (15) post-general election thank-you notes or advertisements in the news media;
- (16) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;
- (17) contributions to a party unit; and
- (18) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.